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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/707,914

11/08/2000

Davide Imbeni

2466-75

9075

7590

06/30/2004

Nixon & Vanderhye P C
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EXAMINER

CORRIELUS, JEAN B

ART UNIT

PAPER NUMBER

2631

11

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/707,914

Applicant(s)

IMBENI ET AL.

Examiner

Jean B Corrielus

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7, 9-17, 21, 23-28 and 30-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3, 7, 9-17, 21, 23-28 and 30-39 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. This application is in condition for allowance except for the following formal matters:

Claims 1-3, 7, 9-17, 21, 23-28 and 30-39 are objected to because of the following informalities: claim 1, line 13, after rate, "to said incoming call request" should be inserted; line 15, "a" should be "the". Claim 7, line 6, what does it mean by "codes with the highest unavailabilities"; line 7 recites the limitation "for the related shorter length codes until the root code". However, it appears that "is reached" should have been inserted after "code". Claim 9, last line, "using related" should be "related used". Claim 10, what does it mean by "choosing as a preferred unavailable code **one minimizing the total number of changes** of already allocated codes". The same comment applies to claims 24 and 35. Claim 13, what does it mean by "codes with the highest unavailabilities"? The same comment applies to claim 14. Claim 15, c), line 2, after rate, "to said incoming call request" should be inserted ; d), line 2, "a" should be "the". Claim 16, line 1, the dependency should 15 as claim 12 is a method claim. Claim 21, line 2, "by should be replaced by "comprises" and "means for" should be inserted before determining, choosing, and repeating; step c), "the forgoing step" should be replaced by "element a); line 7 recites the limitation "for the related shorter length codes until the root code". However, it appears that "is reached" should have been inserted after "code". Claim 27, what does it mean by " choosing a code having the lowest unavailabilities"?

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The same comment applies to claim 37, line 2. Claim 28, line before the last, "for" should be deleted. Claim 30, step c), line 4, after rate, "to said incoming call request" should be inserted; step d), line 3, "a" should be "the". The limitations, recited in claim 31, lines 2-midway of the line before the last, are redundant as they are already part of claim 1. The same comment applies to claims 32 and 33. Claim 34, line before the last, "used related" should be "related used". The same comment applied to claim 23. Claim 39, line 11, "a" should be "the". Note that any claim whose base claim is objected is likewise objected. Appropriate correction is required.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Allowable Subject Matter

2. Claims 1-3, 7, 9-17, 21, 23-28 and 30-39 are allowed. However, the claims must be amended to overcome any objection sets forth above.

3. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314

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(for informal or draft communications, please label "PROPOSED"
or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

4. Any inquiry concerning this communication or earlier communications from
the examiner should be directed to Jean B. Corrielus whose telephone number is (703)
305-4023. The examiner can normally be reached on Monday-Thursday from 7:00 A.M.
to 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the
examiner's supervisor, Mohammad Ghayour, can be reached on (703) 306-3034.

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the Group receptionist whose telephone number is
(703) 305-3800.


Jean B. Corrielus

Primary Examiner

TC-2600 6/25/04